

REMARKS

Claims 26-38 are pending in the application. Claims 12-25 have been cancelled from the application above, and they have been replaced with new claims 26-38. The subject matter of the previous claims 13 and 24 has been substituted with the feature of transmitting the selection data to a customer terminal via a different network than the service multiplex is transmitted. This feature is disclosed in the specification, *e.g.* on page 5, lines 17-23. Furthermore, the "such as" phrase of claim 22 has been converted into new dependent claim 28. Finally, Figures 2 and 3 have been amended as suggested by the Examiner. No new matter has been added to the application by way of these claim and drawing amendments.

The Examiner's specification and claim objections and rejections are overcome or traversed as set forth below.

I. THE DRAWING OBJECTION

The Examiner objected to the drawings because Figures 2 and 3 lack labels for all parts shown in the drawings and specifically because Figures 2 and 3 lack "labels" for items represented by numerals 2a, 3a, 2, 4, 5 in Figures 2 and 3 and for items represented by numerals 4a, 7 and 9 in Figure 3.

The drawings have been amended to add labels to the numbered item identified in Figures 2 and 3. Included with this Reply with a marked-up version of Figures 2 and 3 including the labels for the numerical features. Also included is a clean copy of Figures 2 and 3 as amended herein. The amendments to Figures 2 and 3 proposed herein are believed to overcome the Examiner's drawing objection.

II. THE SECTION 112, 2nd PARAGRAPH CLAIM REJECTION

The Examiner rejected claims 12-25 under 35 USC 112, 2nd Paragraph for being indefinite.

This rejection has been overcome by replacing rejected claims 12-25 with new claims 26-38. Claims 26-38 are method claims that have been redrafted to include gerunds to introduce each step. Moreover, the Examiner's specific rejections of claim have been overcome by

converting the element into new dependent claim 28.

III. THE ANTICIPATION REJECTION

The Examiner rejected claims 12-25 for being anticipated by a new reference – Coleman et al. (USP 5,844,620). Specifically, it is the Examiner's position that Coleman et al. discloses all of the features of claims 12-25.

Presently pending claims 26-38 are not anticipated by Coleman et al. (US patent 5,844,620). Coleman et al. discloses a method and apparatus for providing an interactive program guide (IPG) for television programs, movies and other services available over a broadcast network. The IPG data is input to an IPG data processor via an operator interface, comprising typically a workstation with a keyboard or other input means. (*See* Col. 6, lines 17 - 23). Then the IPG data is packetized and input to a multiplexer together with data packet streams from N different services. The packet stream multiplex, including the IPG data, is output from the multiplexer and transmitted to the customer terminals via a communication network. *Id.* at lines 2 –14. Thus, Coleman et al. discloses a method for providing a selection menu for services available over a broadcast network, wherein the data for selection menu is first formed manually, typically by typing with a keyboard, and then the selection menu is integrally multiplexed with the distributed services. In other words, the program multiplex of the claimed invention is not used in Coleman et al. when forming the selection menu. The method of Coleman et al. is a slow and cumbersome method for creating the selection menu, whereby it is difficult to update the selection menu to reflect any possible changes in the services available through the multiplex. Furthermore, due to multiplexing the selection menu with the distributed services, it is evident that the selection menu of Coleman et al. cannot be delivered by any network other than the broadcast network via which the multiplex is transmitted. This is confirmed in the disclosure at col. 3, lines 13 - 15.

The presently claimed invention overcomes the above problems by first multiplexing a plurality of service data in a frame format for service transmission, whereby identification and control data of the services are located in at least one frame of the multiplexed frames and then forming selection data for the selection of the service on the basis of the identification and control data located in the service multiplex. After that, the selection data, based on the identification and control data, is transmitted separately, without the actual service data of the service multiplex, to the

customer terminal for displaying the selection data. In other words, the program multiplex, particularly the control and identification data of said multiplex, is used when forming the selection menu, which can then be transmitted as such. Neither Coleman et al. nor the previously cited EP 0756423 A1 (Iwafume) discloses this claimed solution. To the contrary, they both teach one skilled in the art to first store the information for the selection menu and then either to multiplex it with the service data or to form a separate multiplex for the selection menu. For at least this reason, Coleman et al. does not anticipate pending claims 26-38.

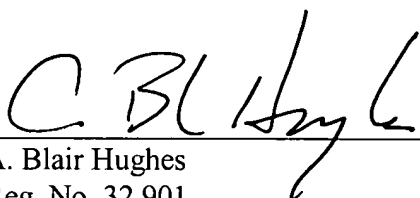
CONCLUSION

In view of the drawing and claim amends above, and further in view of the statements in favor of patentability presented above it is believed that pending claims 26-38 of this application are allowable. Favorable reconsideration and allowance of the pending application claims is, therefore, courteously solicited.

Respectfully submitted,

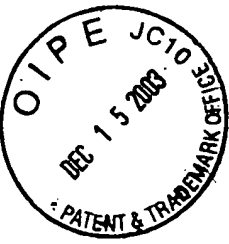
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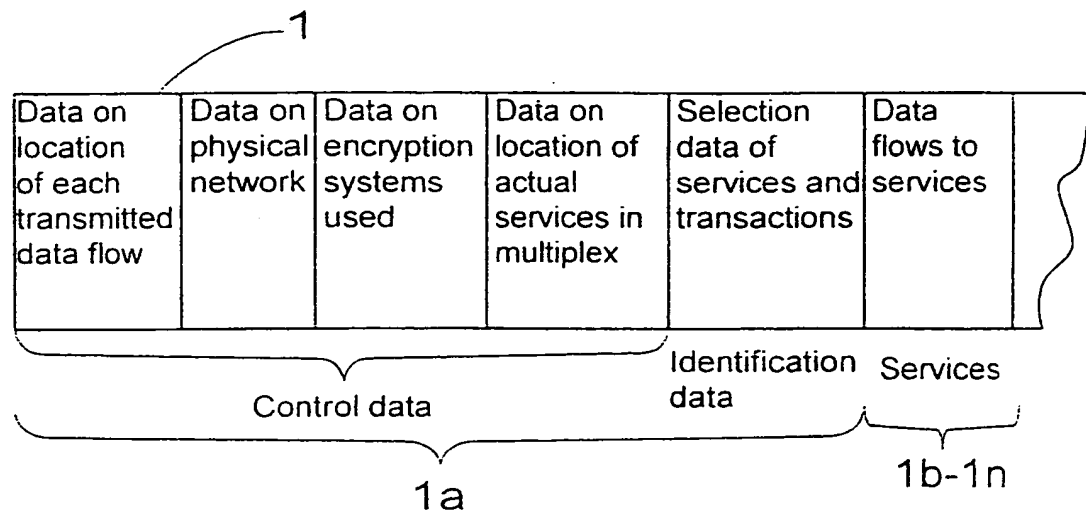


FIG. 1

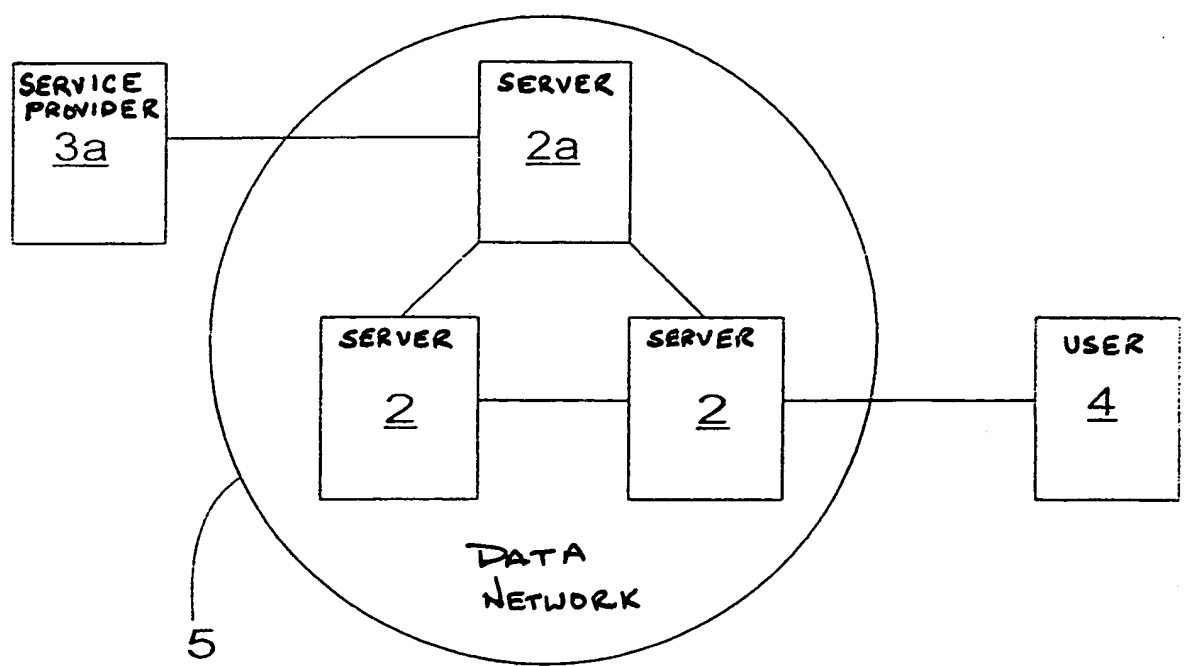


FIG. 2

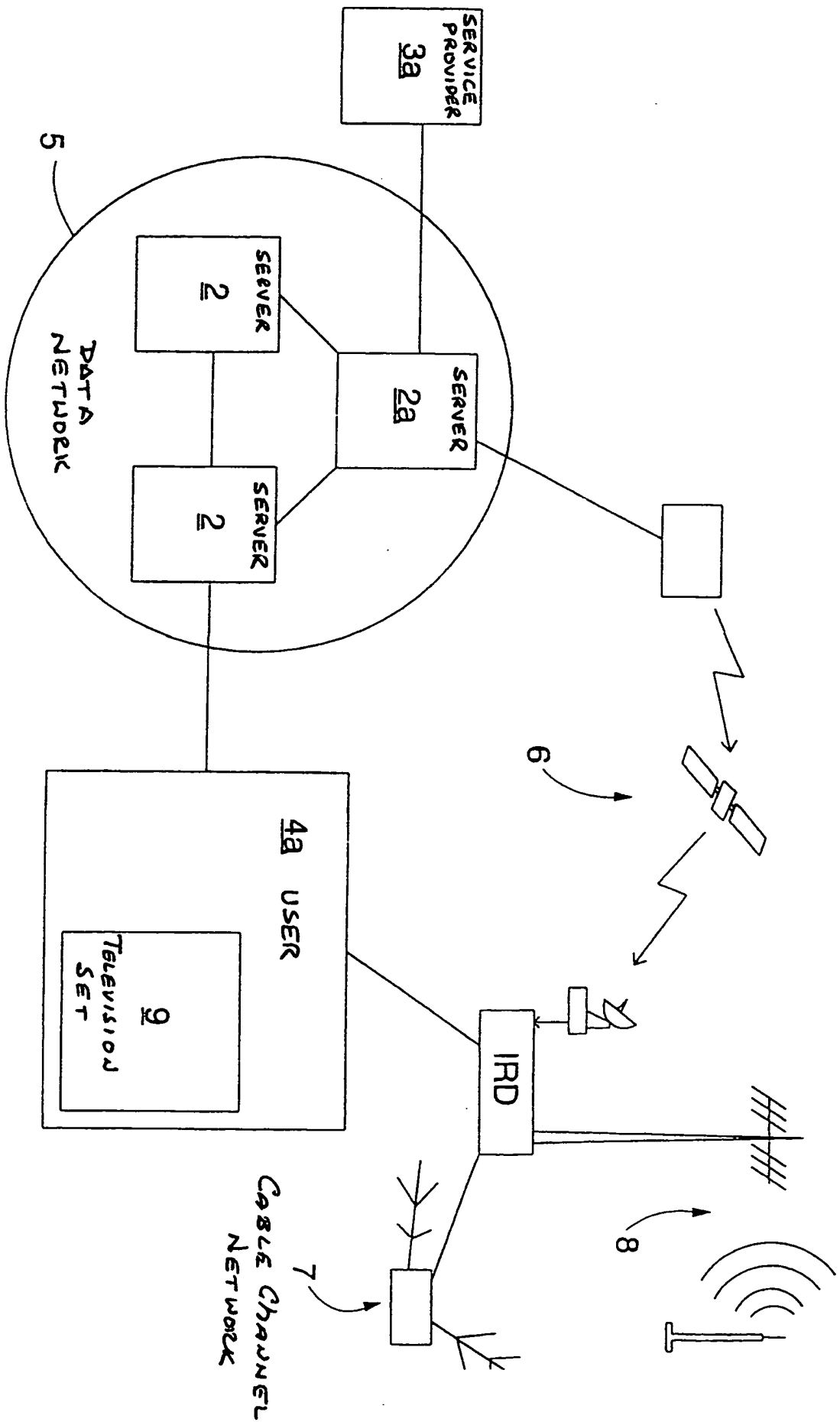


FIG. 3